

Draft Civil Service Rule Amendments

Rule 3-8, Veterans' Preference

Rule 5-4.2, Overtime

Draft Revision A (February 20, 2008)

Added text is double-underlined. Deleted text is ~~struck-through~~.

3-8 Veterans' Preference

3-8.1 Veterans' Preference Authorized

An applicant who is qualified for initial appointment in the classified service is eligible for a preference in consideration during the selection process, ~~as provided in this rule and the regulations.~~ A qualified applicant who is granted a preference ~~in consideration~~ is not guaranteed appointment in the classified service.

3-8.2 Qualifications

- (a) **Veteran.** A *veteran* is a person who (1) has 90 or more calendar days of active duty service in the armed forces of the United States, (2) was honorably discharged from active duty ~~in the armed forces of the United States~~, and (3) has not retired from any uniformed service.
- ~~(b) **Eligible veteran.**—An *eligible veteran* is a veteran who has been released from active military duty within 5 years before the date of application.~~
- (~~b~~) **Eligible dDisabled veteran.** An ~~eligible~~ *disabled veteran* is an ~~eligible~~ veteran who has been determined to be eligible for disability compensation by the U.S. Department of Veterans Affairs or a branch of the armed forces of the United States as the result of a service-connected disability.
- (~~d~~) **Eligible sSpouse.** An ~~eligible~~ *spouse* is a spouse of a veteran ~~who was released from active military duty within 5 years before the date of application.~~
- (~~e~~) **Eligible sSurviving spouse.** An ~~eligible~~ *surviving spouse* is a surviving spouse of a veteran ~~who was released from active military duty within 5 years before the date of application.~~

3-8.3 Types and Order of Veterans' Preference

During a selection process, a qualified eligible applicant who requested a preference in consideration when applying ~~at the time of application~~ is given one of the following preferences ~~in consideration, in the following order:~~

- (a) **Civil service preference points.** If the selection process is based in whole or in part on a numerical score on a written civil service examination, civil service staff shall add the following preference points to an applicant's final passing score:

(1) **5 points.** Add 5 points to the final passing score of ~~the following applicants:~~

~~(A) An eligible~~ a veteran. ~~or~~

~~(B) An eligible~~ surviving spouse.

(2) **10 points.** Add 10 points to the final passing score of the following applicants:

(A) ~~An eligible~~ disabled veteran.

(B) ~~An eligible~~ spouse of an ~~eligible~~ disabled veteran with greater than 50 percent service-connected disability.

(C) ~~An eligible~~ surviving spouse who has a child under 18 years of age.

(D) ~~An eligible~~ surviving spouse with continuing parental care of a disabled child.

- (b) **Agency preference points.** If a qualified eligible applicant is not given ~~numerical~~ preference points under subsection (a) and the appointing authority uses a preliminary applicant screening process based in whole or in part on a numerical score, the appointing authority shall add the following preference points to the applicant's screening score:

(1) **5 percent.** Add preference points equal to 5 percent of the highest attained screening score to the screening score of ~~the following applicants:~~

~~(A) An eligible~~ a veteran. ~~or~~

~~(B) An eligible~~ or a surviving spouse.

(2) **10 percent.** Add preference points equal to 10 percent of the highest attained screening score to the screening score of the following applicants:

(A) ~~An eligible~~ disabled veteran.

(B) ~~An eligible~~ spouse of an eligible disabled veteran with greater than 50 percent service-connected disability.

(C) ~~An eligible~~ surviving spouse who has a child under 18 years of age.

(D) ~~An eligible~~ surviving spouse with continuing parental care of a disabled child.

- (c) **Preferential consideration by appointing authority.** If a qualified eligible applicant is not given ~~numerical~~ preference points under either subsection (a) or (b), the appointing authority shall give preferential consideration to the qualified eligible applicant as follows:~~in the following manner:~~
- (1) If the appointing authority uses a mechanical or random ~~applicant~~ screening process to reduce the number of applicants placed in the candidate pool, the qualified eligible applicant must be retained and placed in the candidate pool.
 - (2) A qualified eligible candidate retained in the candidate pool must be evaluated by the appointing authority using the same merit appraisal methods used for other candidates in the candidate pool.

3-8.4 Technical Complaint

An eligible applicant who timely requested and was not granted preferential consideration as required by this rule and the regulations may file a technical appointment complaint, as authorized in Rule 3-7.2(b) [Technical Appointment Complaint by Applicant].

5-4 Additional Compensation: Overtime, etc.

5-4.1 Additional Compensation

An appointing authority may require an employee to work under special conditions. An eligible employee working under the following special conditions is paid the pay premiums provided in this rule in accordance with the regulations.

5-4.2 Overtime

- (a) **Eligibility.** The compensation schedules must identify each classification that is eligible for overtime pay. Overtime pay is paid to eligible employees for time in pay status, excluding sick leave, in excess of ~~8 hours in a day and~~ 40 hours in a week or as otherwise provided in the regulations.
- (b) **Rate.** The overtime rate of pay is one and one-half times the employee's regular rate of pay, as defined in the regulations. The regulations may provide for accrual of compensatory time at the premium rate instead of a cash payment.

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